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Our File No.
21601-100

October 29, 2009

BY ECF

Hon. Michael L. Orenstein
United States Magistrate Judge
United States District Court
100 Federal Plaza, Room 844
Central Islip, New York 11722-4449

**Re: CB Richard Ellis, Inc. v. Binder & Binder, P.C.,
 No. 08-CV-0136 (JS) (MLO)**

Dear Magistrate Judge Orenstein:

We represent plaintiff CB Richard Ellis, Inc. ("CBRE") in the above matter. On consent of defendant Binder & Binder, P.C. ("Binder"), we write to respectfully request an additional thirty-day adjournment of the deadline for requesting a pre-motion conference.

The initial deadline for requesting a pre-motion conference was September 30. On September 25, we filed a letter on consent of Binder requesting a thirty-day adjournment to pursue potential settlement of this matter. On September 30, the Court granted an adjournment to October 30. Since the Court's Order, the parties have exchanged a revised settlement demand and discussed Binder's response to the demand. We respectfully submit that a final thirty-day adjournment to continue settlement discussions may lead to a settlement of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'JPM', is written over the typed name 'John P. McEntee'.

John P. McEntee

JPM/fcm

cc: All Counsel of Record (via ECF)